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8 Attorneys for Plaintiff MICHAEL RHOM,  
on behalf of himself and others similarly situated

9 [Additional parties and counsel on signature  
10 page]

11  
12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION  
14

15 MICHAEL RHOM, on behalf of himself and  
other similarly situated,

16 Plaintiff,

17 vs.

18 THUMBSTACK, INC., a Delaware corporation  
19 and DOES 1 through 50, inclusive,

20 Defendant.  
21

Case No. 3:16-cv-02008-HSG

**STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE;  
~~PROPOSED~~ ORDER**

Judge: Hon. Haywood S. Gilliam, Jr.

22 Plaintiff MICHAEL RHOM, and Defendant THUMBSTACK, INC., through their  
23 respective counsel of record, and without admission of any kind, or waiver of any defense,  
24 objection, or other response, hereby stipulate and agree as follows:

25 WHEREAS, Plaintiff filed his Complaint in the Superior Court of the State of  
26 California in and for the County of San Francisco on March 22, 2016;

27 WHEREAS, Plaintiff served Defendant with the Summons and Complaint on April  
28 11, 2016;

1 WHEREAS, Defendant removed this action to this Court on April 15, 2016;

2 WHEREAS, Defendant filed its Motion to Dismiss, Or, in the Alternative, Stay the  
3 Complaint (“Motion”) on June 2, 2016;

4 WHEREAS, Plaintiff filed his response in opposition to Defendant’s Motion on  
5 June 23, 2016;

6 WHEREAS, Defendant filed its reply in support of the Motion on July 7, 2016;

7 WHEREAS, the hearing on Defendant’s Motion is set for August 4, 2016, at 2:00  
8 p.m.;

9 WHEREAS, the Case Management Conference is currently set for tomorrow, July  
10 19, 2016, at 2:00 p.m.;

11 WHEREAS, the parties filed their Joint Case Management Statement on July 12,  
12 2016, in compliance with the Court’s Civil Standing Order [*see* ECF No. 24];

13 WHEREAS, Plaintiff’s counsel on July 18, 2016 contacted Defendant’s counsel  
14 and requested a continuance of the Case Management Conference set for July 19, 2016, to August  
15 4, 2016, at 2:00 p.m. to coincide with the hearing on the Motion;

16 WHEREAS, Defendant has agreed to Plaintiff’s request;

17 WHEREAS, Local Civil Rule 6-2(a) permits the parties to “file a stipulation,  
18 conforming to Civil L.R. 7-12, requesting an order changing time that would affect the date of an  
19 event or deadline already fixed by Court order[]”;

20 WHEREAS, a continuance of the Case Management Conference to coincide with  
21 the hearing on the Motion serves the interests of judicial economy by minimizing the expenditure  
22 of the Court’s and parties’ time and costs, including travel costs;

23 WHEREAS the Court previously granted two time modifications in this case,  
24 extending Defendant’s time to respond to the Complaint from May 2, 2016 to June 2, 2016 [ECF  
25 No. 11], and extending the parties’ deadline to file a response in opposition to, and reply in  
26 support of, the Motion [ECF No. 15];

27 WHEREAS, granting the requested time modification will not adversely affect the  
28 schedule for this case because the parties have already conducted their Rule 26(f) conference [*see*

1 ECF No. 24] and ADR phone conference [ECF No. 23] and have begun discovery;

2 NOW THEREFORE, Plaintiff and Defendant, through their counsel of record,  
3 stipulate to the following:

4 IT IS HEREBY STIPULATED that the Case Management Conference currently  
5 scheduled for July 19, 2016 at 2:00 p.m. shall be continued to August 4, 2016 at 2:00 p.m. to  
6 coincide with the hearing on the Motion.

8 DATED: July 18, 2016

COUNSELONE, PC  
ANTHONY J. ORSHANSKY  
ALEXANDRIA R. KACHADOORIAN  
JUSTIN KACHADOORIAN

11 By: /s/ Anthony J. Orshansky  
12 ANTHONY J. ORSHANSKY  
13 Attorneys for Plaintiff MICHAEL RHOM

14 DATED: July 18, 2016

MUNGER, TOLLES & OLSON LLP  
JONATHAN H. BLAVIN  
ANKUR MANDHANIA

17 By: /s/ Jonathan H. Blavin  
18 JONATHAN H. BLAVIN  
19 Attorneys for THUMBSTACK, INC.

20 **ECF ATTESTATION**

21 I, Anthony J. Orshansky, am the ECF User whose ID and password are being used  
22 to file this document. In compliance with Local Rule 5-1(i)(3), I hereby attest that the above  
23 defense counsel has concurred in and authorized this filing, and I shall maintain records to support  
24 this concurrence for subsequent production for the Court if so ordered or for inspection upon  
25 request by a party.

26 /s/ Anthony J. Orshansky  
27 Anthony J. Orshansky  
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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

7/19/2016  
DATE

